

08/23/06

TFW 3739



PATENT

Docket No.: P-7326.03 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jean Woloszko, et al.      Group Art Unit: 3739  
Application No.: 09/514,906      Examiner: L. Cohen  
Filed: February 28, 2000  
For: MEDICAL ELECTRICAL LEAD

**CERTIFICATE OF MAILING OR TRANSMISSION** I hereby certify that this correspondence is being deposited with the United States Postal Service via Express Mail, addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.  
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Anne M. La Dow**SECOND STATUS INQUIRY**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The last communication was a Status Inquiry filed February 10, 2005 with respect to a Petition for Revival, Response and Amendment and Request for Extension of Time Transmittal dated September 27, 2001 filed by Applicant. Copies are enclosed of the foregoing documents, as well as a copy of a response and amendment filed September 5, 2000 to the June 5, 2000 Office Action. Please reinstate this application as requested in the attached documents.

Respectfully submitted,



Date: August 21, 2006

Stephen W. Bauer  
Registration No. 32,192  
Medtronic, Inc.  
710 Medtronic Parkway NE, M.S.: LC340  
Minneapolis, MN 55432-5604  
Telephone: 763-505-0422  
Facsimile: 763-505-0411  
Customer No.: 27581



to-reply to 763 505 0411 COMPANY:



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MEDTRONIC LAW DEPT

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**Attention:** Centralized Fax Number

**Company:** United States Patent and Trademark Office

**Telephone:** 703-305-5261

**Facsimile:** 703-872-9306

**Application No.:** 09/514,906

**Filing Date:** February 28, 2000

**From:** Stephen W. Bauer, Esq.

**Telephone:** 763-505-0405

**Facsimile:** 763-505-0422

**Our Ref. No.:** P-7326.03 US

**Date:** February 10, 2005

**Pages (including cover page):** 4

**ATTENTION: EXAMINER L. COHAN**

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**MEDTRONIC LAW DEPARTMENT - CONFIDENTIAL****Attention:** Centralized Fax Number**Company:** United States Patent and Trademark Office**Telephone:** 703-305-5261**Facsimile:** 703-872-9306**Application No.:** 09/514,906**Filing Date:** February 28, 2000**From:** Stephen W. Bauer Esq.



**Medtronic®**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

In re Application of:	Jean Woloszko	Group Art Unit:	3739
Application No.:	09/514,906	Examiner:	L. Cohan
Filing Date:	February 28, 2000		
For:	MEDICAL ELECTRICAL LEAD		

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Anne M. La Dow

**TRANSMITTAL LETTER**

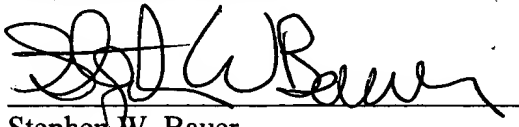
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Enclosed for filing in the above-identified application are:

- ☒ Transmittal Letter (in duplicate)
- ☒ Status Inquiry
- ☒ Please charge any additional fees or credit any overpayments to Deposit Account No. 13-2546, which may have been overlooked on this Transmittal Letter with regard to this filing. A duplicate of this transmittal letter is enclosed.

Respectfully submitted,

Date: February 10, 2005

  
Stephen W. Bauer  
Registration No. 32,192  
MEDTRONIC, INC.  
710 Medtronic Parkway N.E., M.S.: LC340  
Minneapolis, Minnesota 55432-5604  
Telephone: 763-505-0422  
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Customer No.: 27581

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Application of:	Jean Woloszko	Group Art Unit:	3739
Application No.:	09/514,906	Examiner:	L. Cohan
Filed:	February 28, 2000		
For:	MEDICAL ELECTRICAL LEAD		

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**STATUS INQUIRY**

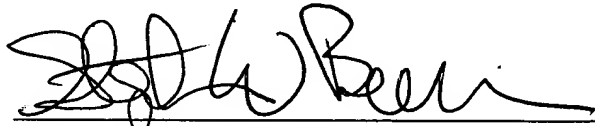
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In reviewing our file on the above-identified patent application, we note that the last communication was a Petition for Revival, Response and Amendment and Request for Extension of Time Transmittal dated September 27, 2001 filed by Applicant. Please let us know the current status of this application.

Please direct all correspondence regarding this inquiry to the undersigned attorney. The Examiner is encouraged to call the undersigned to facilitate resolution of this matter.

Respectfully submitted,



Date: February 10, 2005

Stephen W. Bauer  
Registration No. 32,192  
Medtronic, Inc.  
710 Medtronic Parkway NE, M.S.: LC340  
Minneapolis, MN 55432-5604  
Telephone: 763-505-0422  
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## Fax Cover Sheet

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European Patent Counsel  
Balken Research Center BV

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Fax: +31.(0)43.3566.521

Total no.  
of pages : 10 (including this cover sheet)

To : Examiner L Cohen, Group Art Unit 3739

Fax : 001 703 308 0758

Subject : U.S. Patent Application Serial No. 09/514,906 (our reference P-7326.03 Div2)

From : Thomas F. Woods

Date : September 27, 2001

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European Patent Counsel  
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THANK YOU.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PETITION FOR REVIVAL, RESPONSE AND AMENDMENT AND REQUEST FOR  
EXTENSION OF TIME TRANSMITTAL**

In re Application of: JEAN WOLOSZKO  
 For: MEDICAL ELECTRICAL LEAD  
 Serial No.: 09/514,906  
 Filed: FEBRUARY 28, 2000

DATE OF DEPOSIT: SEPTEMBER 27, 2001

**CERTIFICATE OF FACSIMILE TRANSMISSION:** I hereby certify that this paper and the paper(s), as described herein, is being facsimile transmitted to the United States Patent and Trademark Office on the date shown above.

Signature 

Printed Name ROB BAETSEN

Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Response and Amendment and Request for Extension of Time Transmittal in duplicate.  
☒ Response and Amendment  
☒ Petition for Revival

**FEE CALCULATION**

CLAIM AMENDMENT(S)	Claims Remaining After Amendment	Highest Number Previously Paid For	Add'l Claims	Rate	Fee
Total Claims	-	=	0	x 18	\$
Independent Claims	-	=	0	x 78	\$
Multiple Dependent Claims	No			+ 240	\$
				TOTAL	\$

Charge Deposit Account No. 13-2546 the sum of \$\_\_\_\_(-month extension) for a total sum of \$\_\_\_\_. A duplicate of this transmittal sheet is attached hereto.

- ☒ Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.
- ☒ Applicant believes that no extension of term is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

9-27-01

Date



Thomas F. Woods  
 Reg. No. 36,726  
 MEDTRONIC, INC.  
 7000 Central Avenue N.E.  
 Minneapolis, Minnesota 55432  
 Telephone: (612) 514-3652 (Vocemail)  
 Telephone: (011) 31 43 3566845 (Direct)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

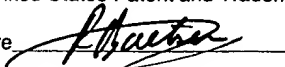
**PETITION FOR REVIVAL, RESPONSE AND AMENDMENT AND REQUEST FOR  
EXTENSION OF TIME TRANSMITTAL**

In re Application of: JEAN WOLOSZKO  
 For: MEDICAL ELECTRICAL LEAD  
 Serial No.: 09/514,906  
 Filed: FEBRUARY 28, 2000

DATE OF DEPOSIT: SEPTEMBER 27, 2001

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Signature


Printed Name ROB BAETSEN

Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

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- ☒ Response and Amendment and Request for Extension of Time Transmittal in duplicate.  
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Independent Claims	-	=	0	x 78	\$
Multiple Dependent Claims	No			+ 240	\$
TOTAL					\$

- Charge Deposit Account No. 13-2546 the sum of \$\_\_\_\_(-month extension) for a total **sum of \$\_\_\_\_\_**. A duplicate of this transmittal sheet is attached hereto.
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- ☒ Applicant believes that no extension of term is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

9-27-01

Date



Thomas F. Woods  
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 7000 Central Avenue N.E.  
 Minneapolis, Minnesota 55432  
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 Telephone: (011) 31 43 3566845 (Direct)

Attorney's Docket No. P-7326.03 Div 2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jean Woloszko et al.

Group No.: 3739

Serial No.: 09/514,906

Examiner: L. Cohen

Filed: February 28, 2000

For: Medical Electrical Lead

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT**  
**ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
**Via Courier**

1. This application became abandoned on December 5, 2000.

2. This petition is filed:

☒ within one year of the date of abandonment.

☐ within three months of the date of the first decision on a petition to revive under 37 CFR 1.137(a), which was filed within one year of the date of abandonment.

(check next box, if applicable)

☐ The three month period has been extended up to \_\_\_\_\_.

3. This application became abandoned because the failure to prosecute was an unintentional delay.

4. Proposed response

☐ has been filed.

☒ is attached.

(complete the following, if applicable)

☐ The response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application copending with this application.

5. Fee (37 CFR 1.17(m))

Application status is:

☐ Small business entity-fee \$

☐ A verified statement is attached.

☐ A verified statement was filed.

☒ Other than small entity-fee \$1,240.00

6. Payment of fee

☐ Enclosed please find check for ☐ \$605.00. ☐ \$1,240.00.

☐ Charge Account 13-2546 for any additional fee required.

☒ Charge Account 13-2546 the sum of \$1,240.00.

**A duplicate of this petition is attached.**

7. Verification

☒ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: 9-27-01

Thomas F. Woods  
Signature of person making statement that abandonment  
was due to an unintentional delay

THOMAS F. WOODS  
(TYPE OR PRINT NAME OF PERSON MAKING STATEMENT)

MAASTRICHT, THE NETHERLANDS  
Residence of person making statement

\_\_\_\_\_  
\_\_\_\_\_

<u>Thomas F. Woods</u>	<u>9-27-01</u>
SIGNATURE OF ATTORNEY	Date
Reg. No.: 36,726	
Tel. No.: (763) 514-3652	
MEDTRONIC, INC	
710 MEDTRONIC PARKWAY	
MINNEAPOLIS, MINNESOTA 55432	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: JEAN WOLOSZKO ET AL. Examiner: L. Cohen  
Serial No.: 09/514,906 Group Art Unit: 3739  
Filed : February 28, 2000 Docket: P-7326.03 DIV2  
Title : MEDICAL ELECTRICAL LEAD

**PROPOSED RESPONSE AND AMENDMENT**

DATE OF DEPOSIT September 29, 2001

**CERTIFICATE OF FACSIMILE TRANSMISSION:** I hereby certify that the paper(s) as described herein are being facsimile transmitted to the United States Patents and Trademarks Office on the date shown above.

Signature 

Printed Name ROB BAETSEN

Commissioner of Patents  
and Trademarks  
Washington, D.C. 26231

Sir:

Should Applicants' Petition for Revival of Unintentionally Abandoned Patent Application filed on even date herewith respecting the above-referenced patent application be granted, Applicants respectfully propose that this Response and Amendment submitted pursuant to the June 5, 2000 Office Action be entered into the record of the revived patent application as follows:

## I. Amendments

Please amend the above-referenced application as follows:

In the Claims:

Please cancel claim 1.

Please amend claims 2-6 as follows:

2. [A system for providing medical electrical stimulation according to claim 1 further comprising:] A system for providing medical electrical stimulation, comprising:

a first medical electrical lead comprising a first lead body and a first electrode portion, the first electrode portion being coupled to the first lead body, the first lead body comprising a first proximal section and a first distal section, the first distal section being thinner than the first proximal section;

a second medical electrical lead [having] comprising a second lead body and a second electrode portion, the second electrode portion being coupled to the second lead body, the second lead body [having] comprising a second proximal section and a second distal section, the second distal section being thinner than the second proximal section;

[a suture sleeve position] first and second suture sleeves positioned, respectively, on [each] the first and second proximal [end] sections[ of the lead bodies]; and

a stabilizing block positioned on the distal [end] sections of the first and second lead bodies, the stabilizing block having means for stabilizing [each of] the first and second electrode portions [of the lead] from moving out of position once they have been implanted[ while the other leads are being implanted].

3. The [A] system [for providing medical electrical stimulation according to] of claim 2, wherein the means of stabilizing [comprise] comprises a pliant polymer block having a series of slots, the slots dimensioned to frictionally engage with the [each lead body] first and second lead bodies.

4. The [A] system [for providing medical electrical stimulation according to] of claim 2, wherein the first electrode portion comprises a root portion, a semi-cylindrical cuff [extending] extends from the root portion in [the] a first radial direction, a long flap [extending] extends from the root portion in a second radial direction, the long flap extending over at least a portion of the semi-cylindrical cuff, and a short flap [extending] extends from the root portion in [a] the first radial direction, the short flap extending over at least a portion of the long flap.

5. The [A] system [for providing medical electrical stimulation according to] of claim 4, [further comprising] wherein the first radial direction ranges between 90 and 270 degrees.

6. The [A] system [for providing medical electrical stimulation according to] of claim 5, [further comprising] wherein the second radial direction ranges between 180 and 360 degrees.



## II. REMARKS

Support for the amendments made to the claims herein may be found throughout the application as filed.


Referring to the Office Action mailed June 5, 2000, and in accordance with the Examiner's requirements and rejections, claim 1 is cancelled herein and claims 2-6 are amended to incorporate all the limitations recited in cancelled claim 1. Moreover, all section 112 deficiencies pointed out by the Examiner respecting claims 2-6 are corrected by way of amendment herein. Accordingly, claims 2-should now be in condition for allowance.

## III. Summary

Claims 2-6 drawn to a stimulation system are now pending in the present application, and are believed to be in condition for allowance. Examination of the application is requested. The Examiner is respectfully requested to contact the undersigned by e-mail at [thomas.woods@medtronic.com](mailto:thomas.woods@medtronic.com) with any questions or comments he may have. Applicants' attorney will promptly contact the Examiner by telephone upon receiving an e-mail.

Respectfully submitted,  
JEAN WOLOSZKO et al.  
By his attorney,

9-27-01  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Thomas F. Woods  
Reg. No. 36,726  
MEDTRONIC, INC.  
7000 Central Avenue, N.E.  
Minneapolis, Minnesota 55432  
Telephone: (763) 574-3652  
Fax: (763) 514-3223  
e-mail: [thomas.woods@medtronic.com](mailto:thomas.woods@medtronic.com)

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Thomas F. Woods  
European Patent Counsel  
Bakken Research Center BV

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Fax: +31.(0)43.3566.521

Total no.  
of pages (including this coverpage): 6

To : Examiner L. Cohen, Group Art Unit 3739  
Fax : 001-703-306-4520  
Subject : U.S Patent Patent Appln. Ser.No.: 09/514,906 (our reference: P-7326.03)  
From : Thomas F. Woods  
Date : 05 September 2000  
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Thomas F. Woods  
European Patent Counsel  
Bakken Research Center BV

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RESPONSE, AMENDMENT AND REQUEST FOR  
EXTENSION OF TIME TRANSMITTAL**

In re Application of: JEAN WOLOSZKO ET AL.  
 For: MEDICAL ELECTRICAL LEAD  
 Serial No.: 09/514,906  
 Filed: FEBRUARY 28, 2000.

DATE OF DEPOSIT: SEPTEMBER 5, 2000

**CERTIFICATE OF FACSIMILE TRANSMISSION:** I hereby certify that this paper and the paper(s), as described herein, is being facsimile transmitted to the United States Patent and Trademark Office on the date shown above.

Signature *Rob Baetsen*

Printed Name ROB BAETSEN

Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☐ Response and Amendment and Request for Extension of Time Transmittal in duplicate.  
☒ Response and Amendment

**FEE CALCULATION**

CLAIM AMENDMENT(S)	Claims Remaining After Amendment	Highest Number Previously Paid For	Add'l Claims	Rate	Fee
Total Claims	-	=	0	x 18	\$
Independent Claims	-	=	0	x 78	\$
Multiple Dependent Claims	No			+ 240	\$
TOTAL					\$

Applicant hereby petitions for a - month(s) extension of time. If an additional extension of time is required, please consider this a petition therefor.

- ☒ Charge Deposit Account No. 13-2546 the sum of \$            ( - month extension) for a total sum of \$           .
- ☒ Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.
- ☒ Applicant believes that no extension of term is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

9-5-00  
 Date

*Thomas F. Woods*  
 Thomas F. Woods  
 Reg. No. 36,726  
 MEDTRONIC, INC.  
 7000 Central Avenue N.E.  
 Minneapolis, Minnesota 55432  
 Telephone: (612) 514-3652 (Voicemail)  
 Telephone: (011) 31 43 3566845 (Direct)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: JEAN WOLOSZKO ET AL. Examiner: L. Cohen  
Serial No.: 09/514,906 Group Art Unit: 3739  
Filed : February 28, 2000 Docket: P-7326.03 DIV2  
Title : MEDICAL ELECTRICAL LEAD

**RESPONSE AND AMENDMENT**

DATE OF DEPOSIT September 5, 2000

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Signature 

Printed Name ROB BAETSEN

Commissioner of Patents  
and Trademarks  
Washington, D.C. 26231

Sir:

This response and Amendment is submitted pursuant to the June 5, 2000 Office Action issued in respect of the above-referenced patent application.

## I. Amendments

Please amend the above-referenced application as follows:

### In the Claims:

Please cancel claim 1.

Please amend claims 2-6 as follows:

2. [A system for providing medical electrical stimulation according to claim 1 further comprising:] A system for providing medical electrical stimulation, comprising:

a first medical electrical lead comprising a first lead body and a first electrode portion, the first electrode portion being coupled to the first lead body, the first lead body comprising a first proximal section and a first distal section, the first distal section being thinner than the first proximal section;

a second medical electrical lead [having] comprising a second lead body and a second electrode portion, the second electrode portion being coupled to the second lead body, the second lead body [having] comprising a second proximal section and a second distal section, the second distal section being thinner than the second proximal section;

[a suture sleeve position] first and second suture sleeves positioned, respectively, on [each] the first and second proximal [end] sections[ of the lead bodies]; and

a stabilizing block positioned on the distal [end] sections of the first and second lead bodies, the stabilizing block having means for stabilizing [each of] the first and second electrode portions [of the lead] from moving out of position once they have been implanted[ while the other leads are being implanted].

3. The [A] system [for providing medical electrical stimulation according to] of claim 2, wherein the means of stabilizing [comprise] comprises a pliant polymer block having a series of slots, the slots dimensioned to frictionally engage with the [each lead body] first and second lead bodies.

4. The [A] system [for providing medical electrical stimulation according to] of claim 2, wherein the first electrode portion comprises a root portion, a semi-cylindrical cuff [extending] extends from the root portion in [the] a first radial direction, a long flap [extending] extends from the root portion in a second radial direction, the long flap extending over at least a portion of the semi-cylindrical cuff, and a short flap [extending] extends from the root portion in [a] the first radial direction, the short flap extending over at least a portion of the long flap.

5. The [A] system [for providing medical electrical stimulation according to] of claim 4, [further comprising] wherein the first radial direction ranges between 90 and 270 degrees.

6. The [A] system [for providing medical electrical stimulation according to] of claim 5, [further comprising] wherein the second radial direction ranges between 180 and 360 degrees.

## II. REMARKS

Support for the amendments made to the claims herein may be found throughout the application as filed.

Referring to the Office Action mailed June 5, 2000, and in accordance with the Examiner's requirements and rejections, claim 1 is cancelled herein and claims 2-6 are amended to incorporate all the limitations recited in cancelled claim 1. Moreover, all section 112 deficiencies pointed out by the Examiner respecting claims 2-6 are corrected by way of amendment herein. Accordingly, claims 2-should now be in condition for allowance.

## III. Summary

Claims 2-6 drawn to a stimulation system are now pending in the present application, and are believed to be in condition for allowance. Examination of the application is requested. The Examiner is respectfully requested to contact the undersigned by voicemail at (763) 514-3652 or the below e-mail address with any questions or comments he may have.

Respectfully submitted,  
JEAN WOLOSZKO et al.  
By his attorney,

9-5-00  
Date

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jean Woloszko et al.

Examiner: L. Cohen

Serial No.: Unassigned

Group Art Unit: 3739

Filing Date: Herewith

Docket No.: P-7326.03 DIV2

Title: MEDICAL ELECTRICAL LEAD

**PRELIMINARY AMENDMENT**

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

**Via Courier**

Dear Sir:

This preliminary amendment is submitted in conjunction with a new divisional patent application submitted on even date herewith.

**I. Amendment**

Please amend the above-referenced application as follows:

In the Specification:

On page 2, between lines 2 and 3, after the title and before the words "Field of the Invention," please insert the sentence --This divisional patent application corresponds to co-pending parent U. S. Patent Appln. Serial No. 08/820,473 filed March 17, 1997 for "Medical Electrical Lead" to Woloszko et al.--

In the Claims:

Please cancel claims 7-21. Applicants now elect and reinstate claims 1-6, withdrawn on February 21, 2000 in a Response to Restriction Requirement filed in divisional U.S. Patent Application Serial No. 09/273,457 as being directed to a non-elected invention.

**II. REMARKS**


This divisional patent application corresponds to and claims the benefit of the filing date of parent U.S. Patent Appln. Ser. No. 08/820,473 filed March 17, 1997 for "Medical Electrical" to Woloszko et al.

Claims 1-6 drawn to a stimulation system is now pending in this divisional application, and is believed to be in condition for allowance. Examination of the application is requested.

The Examiner is respectfully requested to contact the undersigned by voicemail at (612) 514-3652 with any questions or comments he may have.

Respectfully submitted,

By:



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